

Voices of the sector:

Specialist knowledge across sectors

Each Advocate features expert views on an issue affecting family violence specialists. In this edition, we spoke to Domestic Violence Victoria, Women's Legal Service Victoria and inTouch about their specialist expertise, why it's important to embed specialisation in the system and how it could look in future.

Domestic Violence Victoria

In our submission to the Royal Commission into Family Violence, Domestic Violence Victoria (DV Vic) described the important role of the specialist family violence services at the heart of the family violence system. We recommended that the skills, knowledge and practice expertise of specialist family violence services should lead reform for a fully effective response. Why? Because the discipline of specialist family violence services is not a typical social service response to individual experience; rather, it is part of a global movement to transform the conditions of society that make violence possible in the first place. If we do indeed wish to rid society of family violence, then the transformative, social justice response offered by specialist family violence services is a critical platform for this change.

Family violence practitioners are working hard every day to counter the effects of oppressive violence and create shifts toward social change. They do this by working within an evidence-based, feminist, human rights, and trauma-informed practice framework. This framework recognises that family violence is fundamentally derived from an abuse of power enabled by gender and social inequities situated in the structures of patriarchy, colonisation, racism, ableism and other interlocking forms of oppression.

Specialist family violence services enact this practice framework through:

1. Working in partnership with victim survivors, respecting their rights, agency and expertise in their lived experience;
2. Locating responsibility for violence with the perpetrator and advocating for systemic responses that promote accountability and the cessation of abuse;
3. Engaging in complex processes of risk assessment, safety planning and service navigation; and

4. Providing tailored case management and therapeutic support programs for adults, children and young people.

The Royal Commission identified the importance of making family violence everyone's responsibility. We couldn't agree more. Family violence is a high-demand and wide-reaching problem that necessitates a coordinated, multi-agency and whole-of-community response. There is a risk, however, when reform tends towards top-down approaches and prioritising a generalist service response. This can result in sidelining specialist family violence services and leaving victim survivors without the unique professional capabilities offered by family violence practitioners. It also ignores the evidence that a response to the complex and disempowering experience of family violence requires the type of specialisation described above. For these reasons, we must ensure that specialisation is positioned at the heart of the systemic response to family violence.

At DV Vic, we are reviewing the sector's Code of Practice to re-invigorate the practice framework and standards required to further innovate the specialist response. We believe the key to this is embedding a gender-informed, intersectionality lens into the framework to increase service accessibility for those who face particular forms of social injustice and to keep shifting toward the social change required to end family violence.

Women's Legal Service Victoria

The legal needs of a family violence victim survivor must be an integral part of the system's response to her. Despite acknowledgment by the Royal Commission into Family Violence of this specialist need, the need is not being met. Women's Legal Service Victoria (WLSV) continues to advocate for the prioritisation of legal service provision to family violence victim

survivors as well as changes to overcome existing systemic barriers. We also push for inter-professional training for both legal and family violence practitioners.

Women experiencing family violence often face multiple legal matters in different courts, State and Federal, and under various pieces of complex legislation. If legal issues are not dealt with promptly and appropriately, the impact on the safety and wellbeing of women and their children can be profound. Conversely, rushing into legal proceedings or arrangements can create problems. Ill-informed advice can do more harm than good.

Family law – parenting and family violence

Family violence victim survivors are often parents and parenting issues are a family law matter. The family law system is complex. While the legislation recognises family violence and the need to prioritise safety, in practice, particular expertise is required to ensure safe outcomes and to identify when the safest option is, in fact, choosing not to engage the family law system. For vulnerable and disadvantaged women in particular, advice is insufficient. They require their legal representatives to understand both the legal framework and the reality of family violence. WLSV has developed that expertise.

Family law – property and family violence

Housing, economic security and debt management are major factors in recovery from family violence. These issues may be addressed through the family law system with support and legal representation. Many victim survivors say there is no property to claim but a court can, for example, order the transfer of superannuation accrued by her former partner. Family law orders can secure home occupation or relocation, can freeze an economic abuser's access to bank accounts and mortgage redraws. WLSV is one of the few services which provides legal representation in these matters to women. WLSV also provides debt related



and housing assistance through our in-house financial counsellor and social worker.

Child protection and family violence

Family violence victim survivors can be inappropriately penalised in the child protection system. The consequences of the perpetrator's actions are too often borne by the woman and her children with them being removed from the home to manage the risk of recurrence. Women are most at risk when they leave the relationship, so managing family violence risk can mean women delay that separation. Children are often removed from their mother's care when she is wrongly assessed as 'not acting protectively'. WLSV lawyers respond to this misguided thinking in their duty lawyer work and legal representation of women in child protection matters. Few lawyers are able to practice across the legal practice areas of family violence, family law and child protection.

Family violence workers and legal referral

WLSV's Critical Legal Issues Map helps family violence practitioners identify and respond to victim survivors' legal needs. With training, the map enables practitioners to:

- Identify legal issues requiring immediate attention
- Prioritise legal issues to prevent a crisis
- Make timely and appropriate referrals to lawyers and other services
- Prepare clients for court and meeting with their lawyer

Informed use of the map supports women to navigate the complexities of the legal system.

Specialisation and family violence

Specialist accreditation is available in legal areas relevant to the experience of family violence including family law, children's law and immigration law. Family violence is not an area of legal specialisation. Relationship building between legal service providers and family violence services is necessary to ensure women are connected with family violence informed lawyers with competence and experience in the relevant areas of law.

WLSV advocates for compulsory family violence training to be included in the professional development of those working in the justice system, particularly in our own practice areas of family law and child protection. Gaining acceptance of this in the legal profession will take time.

inTouch

Every woman who experiences family violence has a unique experience. The response must also be unique to ensure she has the best possible chance of recovery. It is important to embed specialisation within the system.

All women – all people in the community – are shaped by their environment and the institutions that surround them: family, education, government, health and religion. When a woman is born in a country outside Australia and comes here to live, she brings a set of values, beliefs and understanding

of how the world works. From the day she arrives in Australia, she begins to negotiate between two cultures and, depending on the institutions she engages with, she will change and create a unique cultural identity. Negotiating cultural complexity to support this woman requires special skills and knowledge.

inTouch has been working within the specialist family violence sector for 34 years. We have developed a model of care that uses a strength-based practice informed by the culture and language of the client. We have the capacity to identify abuse through an understanding of the culture of the home country and the culture of the diasporic community here in Australia. This knowledge has been gained through a whole-of-organisation approach, and does not sit with one case worker alone.

We also consider Australia's cultural and legal constructs in relation to immigration and visas. Half of our clients are on some form of temporary visa, so inTouch has developed the specialisation required to work with the particular needs of our clients. We also provide advice, referrals, education and advocacy on the implications of holding a temporary visa and being a victim of family violence to the specialist family violence sector. This specialisation is an important component of the specialist family violence sector. It works to ensure that the offering we, as a sector, make to the Victorian community is comprehensive.

The specialisation of inTouch – as well as the specialisation of other services – is a critical part of the way the whole system needs to operate if it is to be successful. We cannot operate in silos, each agency working in isolation. As the specialist family violence sector grows and strengthens through the reforms resulting from the Royal Commission into Family Violence, the sector must consider how we use each other's expertise to ensure a comprehensive service system.

I would like to see a growth in co-case management across the system, where all our services develop and adapt to the client's needs, where a complex response becomes a seamless experience for the woman who is asking us for help. ■